Case 06-09171 Doc 1 Filed 07/31/06 Entered 07/31/06 15:19:58 Desc Main

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O5/31/2006 03:17:42pm

(Official Form 1) (10/05) UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS Voluntary Petition **EASTERN DIVISION (CHICAGO)** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Ross, Wayne All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names) Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one, state all): than one, state all): xxx-xx-2781 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 16621 Cottage Grove South Holland, IL ZIPCODE ZIPCODE 60473 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Cook Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIPCODE **ZIPCODE** Location of Principal Assets of Business Debtor (if different from street address above): ZIPCODE Type of Debtor (Form of Organization) **Nature of Business** Chapter of Bankruptcy Code Under Which (Check one box.) (Check all applicable boxes.) the Petition is Filed (Check one box) Individual (includes Joint Debtors) Chapter 7 Chapter 11 Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Single Asset Real Estate as defined of a Foreign Main Proceeding Chapter 9 in 11 U.S.C. § 101(51B) Chapter 12 Chapter 15 Petition for Recognition Chapter 13 Other (If debtor is not one of the above Railroad of a Foreign Nonmain Proceeding entities, check this box and provide the Stockbroker П information requested below.) Commodity Broker Nature of Debts (Check one box) State type of entity: ✓ Consumer/Non-Business Clearing Bank ☐ Business Nonprofit Organization qualified under 15 U.S.C. § 501(c)(3) Chapter 11 Debtors Check one box: Filing Fee (Check one box) Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). Full Filing Fee attached Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the Check if: debtor is unable to pay fee except in installments. Rule 1006(b). See Official Debtor's aggregate noncontigent liquidated debts owed to non-insiders or affiliates are less than \$2 million. Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 100-200-1,000-5.001-10.001-25.001-50,001-**OVER** 100,000 49 199 999 25,000 50,000 100.000 99 5.000 10.000  $\square$ П П П П Estimated Assets \$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 to \$50,000,001 to \$0 to More than \$500,000 \$1 million \$10 million \$100 million \$50,000 \$100,000 \$50 million \$100 million  $oldsymbol{
olimits}$ **Estimated Debts** \$0 to \$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 to \$50,000,001 to More than \$50,000 \$100,000 \$500,000 \$1 million \$10 million \$50 million \$100 million \$100 million

 $\square$ 

Case 06-09171 Doc 1 Filed 07/31/06 Entered 07/31/06 15:19:58 Desc Main 05/31/2006 03:17:42pm FORM B1, Page 2 Page 2 of 30 Document (Official Form 1) (10/05) Name of Debtor(s): Wayne Ross **Voluntary Petition** (This page must be completed and filed in every case) **Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: **Northern District of Illinois** 05-05229 2/16/2005 Location Where Filed: Case Number: Date Filed: **Northern District of Illinois** 04-15897 4/22/2004 Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: None District: Relationship: Judge: **Exhibit B Exhibit A** (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts.) 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) I, the attorney for the petitioner named in the foregoing petition, declare that I have of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. Exhibit A is attached and made a part of this petition. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code. X /s/ Thomas R. Hitchcock 05/31/2006 Thomas R. Hitchcock Date **Exhibit C Certification Concerning Debt Counseling** by Individual/Joint Debtor(s) Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? I/we have received approved budget and credit counseling during the 180-day period preceding the filing of this petition. Yes, and Exhibit C is attached and made a part of this petition. I/we request a waiver of the requirement to obtain budget and credit counseling prior to filing based on exigent circumstances. (Must attach certification  $\square$ describing.) Information Regarding the Debtor (Check the Applicable Boxes) Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding (in a federal or state court) in this District, or the interests of the parties will be served in regard to the relief sought in this District. Statement by a Debtor Who Resides as a Tenant of Residential Property Check all applicable boxes. Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) Name of landlord that obtained judgment: Address of landlord: Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Κ	
Printed Name of Authorized Individual	
Title of Authorized Individual	
Date	

Address

#### Date

Signature of Bankruptcy Petiton Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both (11 U.S.C. § 110; 18 U.S.C. § 156).

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Form B6A (10/05)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## **SCHEDULE A - REAL PROPERTY**

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint Or Community	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption	Amount Of Secured Claim
16621 Cottage Grove, South Holland, II 60473	Fee Simple		\$159,000.00	\$166,354.13

otal:

\$159,000.00

(Report also on Summary of Schedules)

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Form B6B (10/05)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
1. Cash on hand.	Х			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	x			
3. Security deposits with public utilities, telephone companies, landlords, and others.	x			
4. Household goods and furnishings, including audio, video and computer equipment.		Household goods and furnishings	-	\$500.00
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
6. Wearing apparel.		Wearing apparel	-	\$500.00
7. Furs and jewelry.	x			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x			
10. Annuities. Itemize and name each issuer.	x			
		   Tota	l >	\$1,000.00

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Form B6B (10/05)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

### **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c); Rule 1007(b)).	x			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	x			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14. Interests in partnerships or joint ventures. Itemize.	x			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	x			
16. Accounts receivable.	x			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			

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Form B6B (10/05)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

### **SCHEDULE B - PERSONAL PROPERTY**

		Continuation Sheet No. 2		
Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	х			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			
22. Patents, copyrights, and other intellectual property. Give particulars.	х			
23. Licenses, franchises, and other general intangibles. Give particulars.	х			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	x			
26. Boats, motors, and accessories.	х			
		Tota	l >	\$1,000.00

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Form B6B (10/05)

### UNITED STATES BANKKUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

### **SCHEDULE B - PERSONAL PROPERTY**

		Continuation Sheet No. 3		
Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
27. Aircraft and accessories.	х			
28. Office equipment, furnishings, and supplies.	x			
29. Machinery, fixtures, equipment, and supplies used in business.	x			
30. Inventory.	x			
31. Animals.	х			
32. Crops - growing or harvested. Give particulars.	х			
33. Farming equipment and implements.	х			
34. Farm supplies, chemicals, and feed.	х			
35. Other personal property of any kind not already listed. Itemize.	X			

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IN RE: Wayne Ross CASE NO

CHAPTER 13

### **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	Check if debtor claims a homestead exemption that exceeds \$125,000.
☐ 11 U.S.C. § 522(b)(2) ☐ 11 U.S.C. § 522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
16621 Cottage Grove, South Holland, Il 60473	735 ILCS 5/12-901	\$0.00	\$159,000.00
Household goods and furnishings	735 ILCS 5/12-1001(b)	\$500.00	\$500.00
Wearing apparel	735 ILCS 5/12-1001(a), (e)	\$15,000.00	\$500.00
		\$15,500.00	\$160,000.00

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Form B6D (10/05)

IN RE: Wayne Ross

CASE NO \_ (If Known)

CHAPTER 13

#### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

			ad no ordanore molaring observed diamne to report on time of	
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER	CODEBTOR	HUSBAND, WIFE, JOINT	INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF  OCL WITH DEDL VALUE OF  VALUE OF	UNSECURED PORTION, IF ANY USE OF ATERAL
ACCT #: 0432513679  HomeComings c/o Kropik, Papuga & Shaw 120 South LaSalle Street Chicago, IL 60603	-	-	ATE INCURRED: ATURE OF LIEN: rincipal Balance paid outside the plan DLLATERAL: 6621 Cottage Grove, South Holland, II 60473 EMARKS:  \$114	4,235.99
ACCT #: <b>0432513679</b>			ALUE: \$159,000.00 ATE INCURRED: Various ATURE OF LIEN:	
HomeComings c/o Kropik, Papuga & Shaw 120 South LaSalle Street Chicago, IL 60603		-	Ortgage arrears OLLATERAL: 6621 Cottage Grove, South Holland, II 60473 EMARKS:	6,000.00
			ALUE: \$159,000.00	
ACCT #: 345-48-2781  Internal Revenue Service Attn: Bankruptcy Department Mail Stop 5010 CHI 230 South Dearborn Street Chicago, IL 60604		-	ATE INCURRED: ATURE OF LIEN: ack Taxes ack Taxes DILLATERAL: 3621 Cottage Grove, South Holland, II 60473 EMARKS:	6,118.14 \$7,354.13
			0450 000 00	
			ALUE: \$159,000.00	
No continuation chasts attache	nd -	_	`	66,354.13
Nocontinuation sheets attached	a		Total (Has only an last nage) > 64	CC 254 42

Total (Use only on last page) > \$166,354.13

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IN RE: Wayne Ross CASE NO

CHAPTER 13

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

	☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
ΤY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
_	Domestic Support Obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
_	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,000* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
_	Certain farmers and fishermen  Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
_	Deposits by individuals  Claims of individuals up to \$2,225* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
_	Claims for Death or Personal Injury While Debtor Was Intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
_	Administrative allowances under 11 U.S.C. Sec. 330 Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. Secs. 326, 328, 329 and 330.
	ounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of stment.
	2 continuation sheets attached

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IN RE: Wayne Ross

CASE NO (If Known)

CHAPTER 13

Running Total >

\$42,784.61

\$35,374.48

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Continuation Sheet No. 1

TYPE OF PRIORITY Taxes and Certain Other Debts Owed to Governmental Units

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER	CODERTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
ACCT #: 215-29-23-302-003-000			DATE INCURRED:					
Cook County Treasurer		1	CONSIDERATION:				\$3,773.31	\$3,773.31
Attn: Law Department		1	Back Real Estate Taxes REMARKS:				φυ,ττο.σ1	φυ, <i>ιι</i> υ.υ Ι
118 North Clark Street		-						
Room 222								
Chicago, IL 60602								
ACCT #: 345-48-2781		1	DATE INCURRED:		Н			
Illinois Department of Revenue Attn: Bankruptcy Department 100 W Randolph St #7-400 Chicago, IL 60601		-	CONSIDERATION: Back Taxes REMARKS:				\$2,475.35	\$1,953.00
ACCT #: <b>345-48-2781</b>		+	DATE INCURRED:		Н			
Internal Revenue Service Attn: Bankruptcy Department Mail Stop 5010 CHI 230 South Dearborn Street Chicago, IL 60604		-	CONSIDERATION: Back Taxes REMARKS:				\$36,535.95	\$29,648.17
	Total for this Page (Subtotal) > \$42,784.61 \$35,374.48							
			. otal for tillo i age (our		<b></b> , .		\$42,704.01	\$35,37 4.40

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IN RE: Wayne Ross

CASE NO

(If Known)

CHAPTER 13

Running Total >

\$44,484.61

\$37,074.48

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

	TYPE OF PRIORITY	Admin	istı	rative	allowances					
MAIL INCLU	DITOR'S NAME, LING ADDRESS IDING ZIP CODE, CCOUNT NUMBER		CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
ACCT #: Hitchcock and A 120 South State Suite 803 Chicago, Illinois	Street			1	DATE INCURRED: 06/02/2006 CONSIDERATION: Attorney Fees REMARKS:				\$1,700.00	\$1,700.00
			_		Total for this Page (Sub	otot	al) :	<b>^</b>	\$1,700.00	\$1,700.00

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CHAPTER 13

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED		AMOUNT OF CLAIM
ACCT #: 438864202229  Capital 1 Bk 11013 W Broad St Glen Allen, VA 23060		-	DATE INCURRED: 07/26/2001 CONSIDERATION: Credit Card REMARKS:				\$646.00
ACCT #: 438864204171  Capital 1 Bk 11013 W Broad St Glen Allen, VA 23060		-	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:				\$277.00
ACCT #: 1272272014  Credit Protect Assoc (original Creditor: 1355 Noel Rd Suite 2100  Dallas, TX 75240		•	DATE INCURRED: CONSIDERATION: Collection REMARKS: 11/09/2005				\$241.00
ACCT #: 5178007046092821  First Premier Bank 601 S Minnesota Ave Sioux Falls, SD 57104		-	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:				\$413.00
ACCT #: 377086  Nicor Gas 1844 Ferry Road Naperville, IL 60563		-	DATE INCURRED: 12/2000 CONSIDERATION: Other REMARKS:				\$182.00
continuation sheets attached			Su Total (Use only on last page of the completed Sched	btot ule		ŀ	\$1,759.00 \$1,759.00

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Form B6G (10/05)

## NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)**

IN RE: Wayne Ross CASE NO

CHAPTER

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
	CO.MINIOT.

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Form B6H (10/05)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)** 

CASE NO IN RE: Wayne Ross

> CHAPTER 13

### **SCHEDULE H - CODEBTORS**

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

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Form B6I (10/05)

## Document Page 17 of 30 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 7, 11, 12, or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child.

Debtor's Marital Status:	Dependents of Debtor and Spouse				
Married	Relationship: Daughter	Age: 13	Relationship:		Age:
Warried			-		
F	Dalitan		0		
Employment	Debtor Truck Driver		Spouse		
Occupation Name of Employer	Truck Driver Illini State Trucking				
How Long Employed	IIIIII State Trucking				
Address of Employer	6450 Industrial Hgwy				
/ tadiood of Employof	Gary, IN				
	71				
INCOME: (Estimate of a	verage monthly income)			DEBTOR	SPOUSE
1. Current monthly gros	s wages, salary, and commiss	ions (prorate if not pa	aid monthly)	\$5,096.00	\$0.00
<ol><li>Estimate monthly over</li></ol>	ertime			\$0.00	\$0.00
<ol><li>SUBTOTAL</li></ol>				\$5,096.00	\$0.00
4. LESS PAYROLL DEI					
	ides social security tax if b. is a	zero)		\$844.00	\$0.00
b. Social Security Tax	(			\$0.00	\$0.00
c. Medicare d. Insurance				\$0.00 \$0.00	\$0.00 \$0.00
e. Union dues				\$0.00	\$0.00
f. Retirement				\$0.00	\$0.00
- Oth - ( if )				\$0.00	\$0.00
h Other (enecify)			<del></del>	\$0.00	\$0.00
i. Other (specify)			<del></del>	\$0.00	\$0.00
j. Other (specify)				\$0.00	\$0.00
k. Other (specify)				\$0.00	\$0.00
5. SUBTOTAL OF PAYE	ROLL DEDUCTIONS			\$844.00	\$0.00
6. TOTAL NET MONTH	LY TAKE HOME PAY			\$4,252.00	\$0.00
7. Regular income from	operation of business or profe	ession or farm (attach	detailed stmt)	\$0.00	\$0.00
8. Income from real prop				\$0.00	\$0.00
9. Interest and dividend				\$0.00	\$0.00
	e or support payments payable	e to debtor for the de	btor's use or	\$0.00	\$0.00
that of dependents lis				<b>#0.00</b>	<b>#0.00</b>
12. Pension or retirement	vernment assistance (specify)			\$0.00 \$0.00	\$0.00 \$0.00
13. Other monthly income				φυ.υυ	\$0.00
a.	o (opoony)			\$0.00	\$0.00
b.				\$0.00	\$0.00
С.				\$0.00	\$0.00
14. SUBTOTAL OF LINE	S 7 THROUGH 13			\$0.00	\$0.00
	ICOME (Add amounts shown	on lines 6 and 14)		\$4,252.00	\$0.00
	MONTHLY INCOME: \$4,252.	•	<u>.                                    </u>	-	mmary of Schedules)
47 5	· · · · · · · · · · · · · · · · · · ·	<del></del>	241.2		,

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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# Document Page 18 of 30 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate labeled "Spouse."	schedule of expenditures
1. Rent or home mortgage payment (include lot rented for mobile home)     a. Are real estate taxes included?	\$1,105.16
Utilities: a. Electricity and heating fuel     b. Water and sewer     c. Telephone     d. Other: real estate taxes	\$335.84 \$55.00 \$50.00 \$316.00
<ol> <li>Home maintenance (repairs and upkeep)</li> <li>Food</li> <li>Clothing</li> <li>Laundry and dry cleaning</li> <li>Medical and dental expenses</li> <li>Transportation (not including car payments)</li> <li>Recreation, clubs and entertainment, newspapers, magazines, etc.</li> <li>Charitable contributions</li> </ol>	\$60.00 \$400.00 \$20.00 \$20.00 \$40.00 \$200.00
11. Insurance (not deducted from wages or included in home mortgage payments)  a. Homeowner's or renter's  b. Life  c. Health  d. Auto  e. Other:  12. Taxes (not deducted from wages or included in home mortgage payments)  Specify:	\$75.00
13. Installment payments: (In Chapter 11, 12, and 13 cases, do not list payments included in the plan)  a. Auto: b. Other: c. Other: d. Other:	
<ul> <li>14. Alimony, maintenance, and support paid to others:</li> <li>15. Payments for support of add'l dependents not living at your home:</li> <li>16. Regular expenses from operation of business, profession, or farm (attach detailed statement)</li> <li>17.a. Other:</li> <li>17.b. Other:</li> </ul>	
18. TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$2,677.00
<ul><li>19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year followindocument:</li><li>20. STATEMENT OF MONTHLY NET INCOME</li></ul>	ng tne tiling of this
a. Total monthly income from Line 16 of Schedule I b. Total monthly expenses from Line 18 above	\$4,252.00 \$2,677.00
c. Monthly net income (a. minus b.)	\$1,575.00

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Form 6-Summary (10/05)

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IN RE: Wayne Ross CASE NO

CHAPTER 13

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities."

#### **AMOUNTS SCHEDULED**

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$159,000.00		
B - Personal Property	Yes	4	\$1,000.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$166,354.13	
E - Creditors Holding Unsecured Priority Claims	Yes	3		\$44,484.61	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		\$1,759.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$4,252.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$2,677.00
	•	Total >	\$160,000.00	\$212,597.74	

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Form 6-Summary (10/05)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## Statistical Summary of Certain Liabilities (28 U.S.C. § 159) [Individual Debtors Only]

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$42,784.61
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)	\$0.00
Student Loan Obligations (from Schedule F)	\$0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$0.00
TOTAL	\$42,784.61

The foregoing information is for statistical purposes only under 28 U.S.C. § 159.

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the fo	regoing summary and schedules, consisting of	16
sheets, and that they are true and correct to the best of my k	knowledge, information, and belief.	(Total shown on summary page plus 1.)
Date <u>05/31/2006</u>	Signature // // // // // // // // // // // // //	
Date	Signature	
	[If joint case, both spouses must sign.]	

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IN RE: Wayne Ross CASE NO

CHAPTER 13

#### STATEMENT OF FINANCIAL AFFAIRS

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$14,500.00 2006 Illini State Trucking and Trans Tech

\$60,000.00 2005 Trans Tech

\$50,000.00 2004 Trans Tech

#### 2. Income other than from employment or operation of business

None ✓

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

#### Complete a. or b., as appropriate, and c.

None

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

✓

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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CASE NO IN RE: Wayne Ross

CHAPTER

#### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 1

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or

None

## 4. Suits and administrative proceedings, executions, garnishments and attachments

not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**CAPTION OF SUIT AND CASE NUMBER** 

**Homecomings** 

vs

Wayne Ross

NATURE OF PROCEEDING Foreclosure

**Attorney for Plantiff** Kropik, Papuga and Shaw

120 S LaSalle Chgo, II 60603 COURT OR AGENCY

AND LOCATION Circuit Court of Cook

County

STATUS OR DISPOSITION

05/31/2006 03:17:47pm

**Pending** 

 $\square$ 

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None  $\square$ 

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None  $\square$ 

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 8. Losses

None  $\square$ 

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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IN RE: Wayne Ross CASE NO

CHAPTER 13

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#### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 2

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#### 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Hitchcock and Associates, P.C. 120 South State Street Suite 803 Chicago, Illinois 60603 DATE OF PAYMENT,

NAME OF PAYER IF

OTHER THAN DEBTOR

06/02/2006

AMOUNT OF MONEY OR DESCRIPTION

AND VALUE OF PROPERTY

\$800.00

#### 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

✓

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

## 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 14. Property held for another person

None

✓

List all property owned by another person that the debtor holds or controls.

#### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

#### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 3

#### None

#### 16. Spouses and Former Spouses

IZI

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material.

Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

#### NAME, ADDRESS, AND LAST FOUR DIGITS OF

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## NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)**

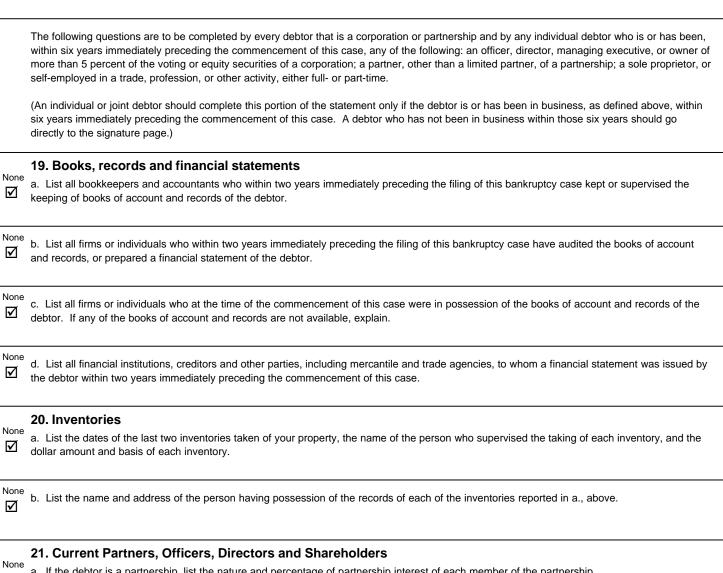
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CHAPTER

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#### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 4



None  $\square$ 

 $\square$ 

 $\overline{\mathbf{A}}$ 

 $\overline{\mathbf{A}}$ 

None  $\square$ 

None  $\square$ 

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None  $\sqrt{\phantom{a}}$ 

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

#### 22. Former partners, officers, directors and shareholders

 $\sqrt{\phantom{a}}$ 

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

## **STATEMENT OF FINANCIAL AFFAIRS**

Continuation Sheet No. 5

None	23. Withdrawals from a partnership or distributions by a corporation  If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.						
None	24. Tax Consolidation Group  If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.						
None  ✓	<b>25. Pension Funds</b> If the debtor is not an individual, list the name and federal to has been responsible for contributing at any time within six		on number of any pension fund to which the debtor, as an employer, preceding the commencement of the case.				
	are under penalty of perjury that I have read the answer	ers contained in t	he foregoing statement of financial affairs and any				
Date	05/31/2006	Signature	/s/ Wayne Ross				
		of Debtor	Wayne Ross				
Date		Signature of Joint Debtor (if any)					
Per	nalty for making a false statement: Fine of up to \$	\$500,000 or imp	risonment for up to 5 years or both. 18 U.S.C.				

Sections 152 and 3571

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B201 (04/09/06)

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IN RE: Wayne Ross

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## <u>Chapter 13:</u> Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

B201 (04/09/06)

## Document Page 29 of 30 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION (CHICAGO)**

IN RE: Wayne Ross

Fax: (312) 551-6401

E-Mail: Tom@Tomhitchcock.com

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are guite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

## 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

## Certificate of Compliance with § 342(b) of the Bankruptcy Code

I,	Thomas R. Hitchcock	, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice
require	d by § 342(b) of the Bankruptcy Code.	
/s/ Tho	omas R. Hitchcock	
Thoma	s R. Hitchcock, Attorney for Debtor(s)	
Bar No	.: 6195164	
Hitchco	ock and Associates, P.C.	
120 So	outh State Street	
Suite 8	03	
Chicag	o, Illinois 60603	
Phone:	(312) 551-6400	

#### Certificate of the Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Wayne Ross	X /s/ Wayne Ross	05/31/2006	
	Signature of Debtor	Date	
Printed Name(s) of Debtor(s)	x		
Case No. (if known)	Signature of Joint Debtor (if any)	Date	

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# Document Page 30 of 30 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Wayne Ross CASE NO

CHAPTER 13

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

DIGGEOGRAP OF COMMENCE AND				
1.	rursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s nat compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for ervices rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy of as follows:			
	For legal services, I have agreed to accept	ot:	\$2,500.00	
Prior to the filing of this statement I have received:		received:	\$800.00	
	Balance Due:		\$1,700.00	
2.	The source of the compensation paid to n	The source of the compensation paid to me was:		
	-	☐ Other (specify)		
2	The source of compensation to be paid to			
J.		ther (specify)		
,				
4.	I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.			
	☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.			
	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy; b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required; c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof; By agreement with the debtor(s), the above-disclosed fee does not include the following services:			
Г				
	I certify that the foregoing is a complet	CERTIFICATION  I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for		
		presentation of the debtor(s) in this bankruptcy proceeding.		
	05/31/2006	/s/ Thomas R. Hitchcock		
	Date	Thomas R. Hitchcock Hitchcock and Associates, P.C. 120 South State Street Suite 803 Chicago, Illinois 60603 Phone: (312) 551-6400 / Fax: (3	Bar No. 6195164 12) 551-6401	
/s/ Wayne Ross				
	Wayne Ross			